

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services - Archaeology & Museums - Departmental proceedings under Rule 14 of Central Civil Services (Classification, Control and Appeal) Rules, 1965 - Articles of charge against Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad - Issued.

GENERAL ADMINISTRATION [SC.D] DEPARTMENT

G.O.Rt.No: 1003

Dated:26-02-2010.

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O R D E R :-

It is proposed to hold an enquiry against Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad and presently working as Keeper (Education, Publication and Public Relations), Salar Jung Museum, in accordance with the procedure laid down in rule 14 of Central Civil Services (Classification, Control and Appeal) Rules, 1965.

2) The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charge (Annexure-I). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3) Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad is directed to submit within 15 days of the receipt of this orders, a written statement of his defence.

4) Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad is further informed that an enquiry will be held only in respect of those articles of charge as are not admitted. She should, therefore, specifically admit or deny each articles of charge.

5) Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad is further informed that if she does not submit her written statement of defence on or before the date specified in Para (3) above, further action will be proceeded with based on the material available.

6) The attention of Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad is invited to rule 20 of the Central Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect

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of any matter dealt within these proceedings it will be presumed that Dr. J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad is aware of such representation and that it has been made at her instance and action will be taken against him for violation of rule 20 of the Central Civil Services (Conduct) Rules, 1964.

7) The receipt of the order may be acknowledged.

(BY ORDEER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.V. PRASAD
CHIEF SECRETARY TO GOVERNMENT

To

Dr. J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad and presently working as Keeper (Education, Publication and Public Relations), Salar Jung Museum, Hyderabad through the Director, Salar Jung Museum, Afzal Gunj, Hyderabad.

The Director, Salar Jung Museum, Afzal Gunj, Hyderabad (with a request to serve the above order on the Officer, obtain her dated acknowledgement on the duplicate copy of the order and return).

Copy to:-

The Director, Department of Archaeology and Museums, Hyderabad.

The Youth Advancement, Tourism & Culture (Tourism) Department, Andhra Pradesh Secretariat, Hyderabad.

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SECTION OFFICER (SC)

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ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST DR.J. KEDARESWARI, FORMERLY DIRECTOR, ARCHAEOLOGY & MUSEUMS, ANDHRA PRADESH, HYDERABAD.

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That Dr. J. Kedareswari presently working as Keeper (Education, Publication and Public Relations), Salar Jung Museum, Hyderabad while functioning as the Director, Archaeology & Museums, Andhra Pradesh, Hyderabad during the period from 01-10-2003 to 30-09-2007 has committed grave misconduct in as much as indicated below :-

ARTICLES NO.1 :-

That she resorted to serious procedural lapses and intentional irregularities by sending proposal to the Government for de-protection of 'Moula-ali Protected Megalithic Site' without conducting survey by a competent authority; without fixing boundaries and also deviated the recommendations of the three-member department technical committee appointed by her for the purpose, which caused irreparable huge loss to the Department as well as the Government of Andhra Pradesh. This amounts to violation of Rule No.38(i) and (ii), Eviction of Unauthorized Occupants Act, 1971; Rule No.19(i) and (ii) and Rule No.14(i) of the Ancient Monuments & Archaeological Sites and Remains Act, 1958 and the corresponding sections and rules thereof and 'The Andhra Pradesh Ancient and Historical Monuments and Archaeological Sites and Remains Act' No.VII of 1960.

Thus, Dr. J. Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad, by her above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and there by contravened Rule 3(i), (ii) & (iii) of the Central Civil Services (Conduct) Rules, 1964.

ARTICLES NO.2 :-

That she neglected to implement the Government orders directing her for release of payment as compensation for retaining the Treasure Trove Silver Coins (Received from Mandal Revenue Officer, Tandur); she violated the provisions of the Treasure Trove Act; she intentionally interrupted the smooth process of administration with regard to this case filing false affidavit on 24.12.2005 in W.P. No.25909/05 before the Hon'ble High Court of Andhra Pradesh duly misinterpreting the stand of earlier Commissioner of Archaeology & Museums Department and misquoting the provisions of the Treasure Trove Act, 1878. Thereby, the officer resorted to criminal conspiracy, criminal breach of trust, breach of law, misleading the Government and Hon'ble Court and contempt of Court by filing Affidavit with false information in W.P. No.25909/05, the acts of which attracts violation of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad, by her above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and there by contravened Rule 3(i), (ii) & (iii) of the Central Civil Services (Conduct) Rules, 1964.

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ARTICLES NO.3 :-

That she committed grave irregularities such as misappropriation of Government funds in violation of financial code in file No.D2/277/04 by releasing huge payments to an unconnected third party, without completion of the work, the act of which attracts violation of Criminal Procedure Code.

Thus, Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad, by her above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and there by contravened Rule 3(i), (ii) & (iii) of the Central Civil Services (Conduct) Rules, 1964.

ARTICLES NO.4 :-

That she committed grave mistake involving misappropriation of Government funds, financial & procedural irregularities and deliberate failure in following the rules and systematic procedures in drawl of amounts pertaining to the works, the act of which amounts to falsification of accounts.

Thus, Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad, by her above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and there by contravened Rule 3(i), (ii) & (iii) of the Central Civil Services (Conduct) Rules, 1964.

ARTICLES NO.5 :-

That she harassed the senior staff members of the Department by framing baseless & false charges against Sri P. Govinda Reddy (Retired Deputy Director), Sri P.V.L.Narasimha Rao, (formerly Deputy Director & CVO), Dr.P. Gayatri (Deputy Director, Chemical Lab), Smt. P.V.Ramanamma (Senior Assistant) and Sri D. Pattabhi Reddy (Assistant Director), the act of which amounts to violation of Andhra Pradesh Civil Services (Conduct) Rules, 1964 and violation of human rights.

Thus, Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad, by her above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and there by contravened Rule 3(i), (ii) & (iii) of the Central Civil Services (Conduct) Rules, 1964.

ARTICLES NO.6 :-

That she deliberately misused her official powers in dropping the charges of financial irregularities framed in File No.A2/4235/02 relating to issue of 'rendering of accounts for the work advances received under Tourism Funds' and also for drawing huge unaccounted advances at that time against Sri P. Vengal Reddy formerly Assistant Director (Srisailam Project Wing under the control of the Department of Archaeology & Museums); with a malafied intention and her shielding the Charged Officer, which attracts undue favouritism, corruption, misuse of power, thereby violating Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, Dr.J.Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad, by her above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and there by contravened Rule 3(i), (ii) & (iii) of the Central Civil Services (Conduct) Rules, 1964.

ARTICLES NO.7 :-

That she knowingly and willfully ignored the advice of the Government Pleader and failed to file the necessary Review Petition in W.P.No.26683/2003 in the Hon'ble High Court of Andhra Pradesh. More so, she purposefully ignored the orders of the Principal Secretary to Government, Youth Advancement, Tourism & Culture Department, Government of Andhra Pradesh for releasing compensation and retain the Treasure Trove, and wantedly deferred filing the petition though there are ample supportive evidence to prove the claim of the Department and the Government of Andhra Pradesh. Her decision of inaction caused an irreparable heavy loss to the Government and lost valuable Treasure Trove for ever. This amounts to abuse of office, dereliction to duty, negligence, insubordination, contempt of court for filing false information, criminal conspiracy, misleading the Hon'ble High Court of Andhra Pradesh with false affidavit.

Thus, Dr. J. Kedareswari, formerly Director, Archaeology & Museums, Andhra Pradesh, Hyderabad, by her above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and there by contravened Rule 3(i), (ii) & (iii) of the Central Civil Services (Conduct) Rules, 1964.

S.V. PRASAD
CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER (SC)

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ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT / MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST DR.J.KEDARESWARI, FORMERLY DIRECTOR, ARCHAEOLOGY & MUSEUMS, ANDHRA PRADESH, HYDERABAD.

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Dr.J.Kedareswari has worked on deputation as Director, Archaeology & Museums, Andhra Pradesh, Hyderabad from 01-10-2003 to 30-09-2007. During that period she has abused her position and committed the following irregularities:-

Charge No.1:-

That Dr.J.Kedareswari was posted on deputation as Director, Archaeology & Museums, Andhra Pradesh, Hyderabad with effect from 01-10-2003 to 30-09-2007. Soon after assuming charge, she took decisions on her own by recommending the Government for de-protection (a part) of the highly valuable megalithic site out of the total 42.03 acres in survey no 44/1, 415/1, 416/1 and 417/1 which is a protected monument located at Moula-Ali, Malkajigiri Mandal, Ranga Reddy District, since 1916 by ignoring the decisions already taken by her predecessor vide Letter No.H1/330/99, dated 20-11-2003 through there is no provision for de-protection of the protected monument in Andhra Pradesh Ancient and Historical Monuments Remains Act, 1960 and the Ancient Monument and Archaeological Sites and Remains Act, 1958. She has completely deviated the proceedings of Joint Collector, Ranga Reddy District with a malafied intention and misquoted the report of the 3 members Technical Committee appointed during her tenure, who have recommended for survey of the area by conservation branch for fixing up the boundaries to write to Government and to safeguard the rest of the land duly fencing it. Where as three Departments (Viz) Revenue Department, Registration and Stamps Department, Archaeology and Museums have fought for protection of the site and also for Gazetted Notification before her taking charge as Director of the Department, she has proposed for deprotection of the monument without taking up the work of survey of the site by suppressing the recommendations of the technical committee.

Based on her proposal, Government have issued orders vide G.O.Rt.No.489, dated: 01-4-2004 declaring deprotection of the land to an extent of 14.30 acres under Survey No.417/1 and 417/2, whereas the said monument would have continued to be a protected monument. Her act clearly reveals that she handled the case very carelessly and moved the file with suspicious movement in violation of Act and achieved her goal of deprotecting the highly valuable Moula-Ali site. She misled the issue and misguided the Government in contrary to the decision of the earlier Commissioner of the Department, Secretary to Government, Youth Advancement, Tourism & Culture Department, and the District Collector, Ranga Reddy District, so as to get orders from Government for deprotection of the site. Her act of such irregular procedure and misuse of power caused huge pecuniary loss amounting to hundreds of crores of rupees to the State Exchequer. This situation clearly establishes a fact that she deliberately failed to maintain sincerity, duty-bound loyalty and absolute integrity. She failed to discharge the legitimate duties and responsibilities in safeguarding the highly valuable archaeological property which attracts violation of the Central Civil Services (Conduct) Rules, 1964. It is a serious lapse on her part.

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By her above acts, she has failed to maintain absolute integrity, devotion to duty and exhibited conduct unbecoming of a Government servant and rendered herself liable for disciplinary action. Hence the charge.

Charge No.2:-

In view of the historical importance of Silver Coins of Tandur, the earlier Commissioner, Archaeology & Museums received 11954 Coins, assessed their value as Rs.8,98,258/- and retained in the Department from 28.7.2001 under proper entry in the Accession Register against Lot No.9/01 at Pages 350-351. In the meanwhile, owner of the house where the Treasure Trove was found, got ex-parte orders on 22.4.2003 from the Hon'ble High Court of Andhra Pradesh in W.P. M.P. No.26683/03 in W.P. No.21320/02 to return the Treasure Trove to him or to compensate the same alternatively. The earlier Commissioner, Archaeology & Museums has requested the Collector, Ranga Reddy District for necessary steps to file Review Petitions before the Honourable Court for setting aside the ex-parte orders as the silver coins attract Treasure Trove Act. The Collector, Ranga Reddy District filed Counter Affidavit and for vacation of the interim orders dated 22.4.2003. The Government have asked the Archaeology & Museums Department on 08.7.2004 to file Counter Affidavit stating that the Director would comply with the orders of Honourable Andhra Pradesh High Court by paying compensation to the concerned. But, instead of implementing the orders of higher authority ie., the Secretary to Government, the Charged Officer with a malafied intention has informed the Government that the coins do not attract either Antiquities and Art Treasures Act, 1972 and Treasure Trove Act, 1878, so as to get favourable Government orders for returning silver coins to the concerned, instead of making payment of compensation. She deliberately misguided the Government with her own thought by mentioning that museologically it would not be right to retain 12,000 coins as the Department of Archaeology & Museums had already possessed coins of similar nature, whereas the Andhra Pradesh Treasure Trove Rules (Rule No.8) specified that the T.T.O. shall recommend for allocation to the State Museum / National Museum / Universities in the State. Knowingly she violated the Andhra Pradesh Treasure Trove Rules and obtained Government approval for her own proposal for return of silver coins which is nothing but intentionally suppressing the earlier commissioner's stand and causing huge loss to the Department and Govt.

The Charged Officer was totally silent and did not file Review Petition in the Honourable Court between the period from October, 2003 to July, 2004. Thus, she is wholly held responsible for her unilateral decision and recommendation for return of the Coins. She committed act of insubordination showing utter ignorance of rules and procedures which is an act of gross indiscipline. Her act caused irreparable loss to the Government as these highly valuable coins always carry archaeological, historical wealth in addition to the material value. She filed a false affidavit dated 24.12.2005 in W.P. No.25909 of 2005 in Honourable High Court by mis-interpreting the earlier commissioner's stand and by quoting "The Indian Treasure Trove Act, 1878" and "Andhra Pradesh Treasure Trove Rules 1959" contrary to the earlier counter affidavit filed by the Commissioner of the Department. The Charged Officer has committed a grave mistake by misinterpreting and suppressing certain facts to the Government in order to put forth her own proposal of returning Treasure Trove Silver Coins to the party with an ulterior motive of defaming and maligning the Department and ignored the orders of Honourable High Court of Andhra Pradesh. It is a serious lapse on her part.

By her above acts, she has failed to maintain absolute integrity, devotion to duty and exhibited conduct unbecoming of a Government servant and rendered herself liable for disciplinary action. Hence the charge.

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Charge No.3:-

As observed from the records relating to the work order for illumination of Tombs in the premises of Qutub-Shahi Tombs, Golconda, Hyderabad, the work order was released to M/s.Phillips India Limited, Hyderabad on 03-02-2004 and a sub-standard material was supplied by M/s.Ved Electrical Stores, Secunderabad to the Department through Invoice No.12877, dated 15/3/2004 for Rs.9,84,048/-, whereas the Charged Officer sent a Note No.Dir./Peshi/04-21, dated 30-01-2004 to the Deputy Director(Engg.) and Deputy Director(Admn.) of the O/o the Director Archaeology & Museums requesting them to send bills to Pay & Accounts Office by 07-02-2004. The work order was issued for Stainless Steel Reflectors, but the material supplied was Aluminum. It is still lying in stores in a damaged condition.

The Charged Officer completed proceedings for payment and the order was issued for release of payment for Rs.8,73,441/-. Material Order was for stainless steel, but, the material supplied was aluminum, even then, a contingent bill was prepared and the amount was drawn from the Pay & Accounts Office on 15.3.2004 by claiming with a forged form. Application of white mark and over writing of M/s.Ved Electrical Stores in place of M/s.Phillips India Limited, is clearly visible. This is a clear case of forgery, fraud, cheating and breakage of law. The process like receipt of the material, verification, inspection, confirmation of supply, proceedings for release of payment, claim of bill from Pay & Accounts Officer was completed just in a single day i.e., on 15.3.2004. The Charged Officer procured substandard material with great speed deviating the work order and kept it for years together unutilized; till date no illumination work is done. Thus, she is held solely responsible for violation of code, forgery, corruption, cheating the Government and also for having drawn 98.4% of the total sanctioned amount by acknowledging the receipt of substandard material from the unrelated third party and for having made payment to a 3rd party.

It is clearly evident from the following references to note that the Charged Officer made a plan for misappropriation of Government funds and criminal conspiracy to cheat the Government by misusing the official powers:-

1. G.O.Ms.No.5, Youth Advancement, Tourism & Culture Department, dated: 12.01.2004.
2. No.Dir./Peshi/04-11, dated: 30-01-2004 from the Director, Archaeology & Museums.
3. Work Order No.D2/277/04, dated 03-02-2004.
4. Proceedings dated: 15-3-2004 of former Director (Dr.J.Kedareswari).
5. Invoice dated: 15.3.2004.
6. Fully vouched contingent bill prepared by Director, Archaeology & Museums for drawing funds from Pay & Accounts Office vide Trans.ID.03170433, dated 05.03.2004.

The Charged Officer has committed grave mistake involving procedural irregularities and misappropriation of Government funds in the matter of execution of works in violation of Financial Code and deliberate failure to follow the rules and systematic procedure in vogue even at the time of drawal of huge amounts pertaining to the works. It is a serious lapse on her part.

By her above acts, she has failed to maintain absolute integrity, devotion to duty and exhibited conduct unbecoming of a Government servant and rendered herself liable for disciplinary action. Hence the charge.

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Charge No.4:-

On perusal of the reference No.C2/Accsts./Min./04, dated:03.4.2004, it is observed that there are some amounts involved in financial and procedural irregularities during her tenure as Director of the Department, by claiming amounts in the Pay & Accounts Office for the departmental works which are not completed in full shape, in violation of financial code and deliberate ignorance to follow the rules and systematic procedures in vogue at the time of drawal of amounts pertaining to the execution of works.

By her above acts, she has failed to maintain absolute integrity, devotion to duty and exhibited conduct unbecoming of a Government servant and rendered herself liable for disciplinary action. Hence the charge.

Charge No.5:-

Sri P.V.L. Narasimha Rao, formerly Deputy Director (A) and Chief Vigilance Officer of the Department and presently Deputy Collector in Revenue Department has stated in his letter addressed to the Special Chief Secretary, Revenue Department that the Charged Officer was in a regular habit of harassing some officials including him and that she forced and compelled them to do some undue favours to her by way of committing several irregularities. The above said office has stated further that if they failed to listen to her, they were harassed and threatened by her. His explanation letter submitted to the Special Chief Secretary, Revenue Department revealed that he was forced to draw and disburse bills to certain contractors without execution of works in full shape.

The above officer added that, unfortunately, Dr. J.Kedareswari during her tenure as Director of Archaeology & Museums endorsed certain files to draw lakhs of rupees payable only after two to five years for the works, to be executed by the contractors and that she further instructed to credit the amounts into the Director's Bank account. He further admitted that the Accountant General has also seriously objected the irregular process of maintaining huge cash balances which were drawn and kept for a long time.

During the course of enquiries by the present Director with the Ex-officers namely P. Govinda Reddy (Retired Deputy Director), formerly Deputy Director (A) and also with the present employees namely Dr.P.Gayatri, Deputy Director, Smt. P.V. Ramanamma (Senior Assistant), Sri D.Pattabhi Reddy, Assistant Director, they have confirmed the above things. This situation clearly reveals that most of the employees working in the Department were vexed with her harassment, unmannerly attitude, mis-behaviour and also her ill-treating them with abusive language in the office. While discharging her official duties, she acted in a discourteous manner, particularly with the male-employees and indulged in harassment either directly or by implication, thereby violating Andhra Pradesh Civil Services (Conduct) Rules, 1964. It is also a serious lapse on her part.

By her above acts, she has failed to maintain absolute integrity, devotion to duty and exhibited conduct unbecoming of a Government servant and rendered herself liable for disciplinary action. Hence the charge.

Charge No.6:-

The earlier Commissioner of the Department has appointed Sri P.Govinda Reddy, Deputy Director (T)(Retired) as Inspecting Officer for conducting a detailed inquiry into the financial irregularities committed by Sri P. Vengal Reddy, Deputy Director (Retired) during his tenure as Assistant

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Director (SSP) in Srisailam Project Wing under the control of the Department and also huge un-accounted advances drawn by him at that time vide Rc.No.B1/1491/03, dated:16-5-2003. The said officer has brought out many financial irregularities committed by Sri P. Vengal Reddy. The officer has reported that the delay for filing his complete report is due to deliberate non-co-operation of Sri P. Vengal Reddy the then Assistant Director (SSP) as he was denied access to (i)Cash book for the period from 21.01.1994 to 27.9.1998; and (ii)Advance Register Vol.IV. In view of total silence of the Charged Officer in spite of reminder to her by the Inspecting Officer about the deliberate failure of Sri P.Vengal Reddy, the then Assistant Director (SSP) to submit the said records, the Inspecting Officer has brought the above lapses to the notice of higher authority requesting for necessary action in the matter. But, surprisingly she dropped conducting inspection of accounts pertaining to Srisailam Wing all of a sudden without any justified reason vide Note File paras in File No. S1/1969/03, dated: 19-3-2004 ignoring the instructions of Accountant General by giving additional powers as Officer on Special Duty to Sri P. Vengal Reddy, Assistant Director (SSP). It amount to gross negligence, undue favouritism and dereliction of duty.

On 2.11.2002, charges were framed by the earlier Commissioner against Sri P. Vengal Reddy, Assistant Director (Tech.)(Retired) and also some other officers for their deliberate failure to render the accounts in complete shape for the works executed by them for the work advances paid to them under Tourism Funds. But, she simply dropped the charges framed against Sri P.Vengal Reddy, Assistant Director (Tech.)(Retired) with personal interest without valid reason and without examining the similar cases of other executors to whom also charge memoranda were issued the same day simultaneously whereas Sri V. Sarma Rao, IAS, formerly Commissioner of the Department of Archaeology & Museums is still involved in this case which is under the purview of Anti-Corruption Bureau and Government.

The Charged Officer simply neglected the orders of the Accountant General which amounts to gross indiscipline and corruption. She committed acts of serious misconduct, dereliction of duty, insubordination showing partiality, misconduct, dereliction of duty, insubordination showing utter ignorance of rules and procedures thereby violating the Central Civil Services (Conduct) Rules, 1964.

By her above acts, she has failed to maintain absolute integrity, devotion to duty and exhibited conduct unbecoming of a Government servant and rendered herself liable for disciplinary action. Hence the charge.

Charge No.7:-

The office of the Directorate of Archaeology & Museums acknowledged receipt of 11,954 Silver Coins on 28.7.2001 as Treasure Trove. The then Commissioner, A&M took a decision to retain the Treasure Trove with the Department because of it's historical importance. Accordingly he moved the files with respective other Departments and Government of Andhra Pradesh. In the mean time, the owner of the house where the Treasure Trove was found got ex-parte orders from the Hon'ble High Court of Andhra Pradesh in W.P. M.P. No.26683 of 2003, dated: 22.4.2003 "to return the Treasure Trove or alternately compensate the same", the then Commissioner of the Department requested the Deputy Collector, Ranga Reddy District for necessary immediate measure to file review petition in Honourable High Court to set aside the ex-parte orders vide Letter No.D3/2447/2001, dated 16-6-2003. The Bank valuer has valued the Treasure Trove coins as Rs.8,89,258/- and the Deputy Collector asked the Government for necessary orders and provision of budget.

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Subsequently, the then Director, Archaeology & Museums i.e., Dr. J. Kedareshwari addressed a letter to the Principal Secretary, Youth Advancement, Tourism, & Culture Department vide Rc.No.D3/2447/2001, dated 25.02.2004 explaining her stand to remain the Treasure Trove with the Department. The Collector, Ranga Reddy District received an urgent fax letter from the Government Pleader for Revenue (General), High Court of Andhra Pradesh, asking for immediate Deposit of the compensation and also for filing of 'Writ Appeal' which may facilitate to get back even the compensation amount after winning the case. The Secretary to Government, Youth Advancement, Tourism & Culture Department sent a Memo. No.17516/T(A3)04, dated 08/07/2004 to the Director, Archaeology & Museums advising to file Counter Affidavit in the Hon'ble High Court stating that she would comply the orders of the Court by paying compensation. She was also asked to submit compliance report along with a copy of the affidavit filed, immediately.

The then Director, Dr.J.Kedareshwari informed the Secretary to Government, Youth Advancement, Tourism & Culture Department that the Tandur Silver Coins attracts neither "Antiquities and Art Treasures Act" nor 'Treasure Trove Act of 1878'. She misguided the Government by misquoting the earlier Commissioner's decision in order to get favourable orders for return of silver coins which is her own decision; more so, it is contrary to her own decision taken and informed to Government on 25.2.2004. She requested the Government to issue orders for return of coins by misquoting the earlier Commissioner's decisions and also purposefully ignored the Government orders dated 08-07-2004. The Government, basing on her request, accorded permission. She has deliberately misguided the Government as she unilaterally took a decision taken in the interest of the Department by the earlier Commissioner, the District Collector and the Government of Andhra Pradesh. It amounts to 'Criminal Conspiracy', gross negligence, contempt of Court for filing an affidavit with false information.

Thus, Dr. J.Kedareshwari, while functioning as Director, Archaeology & Museums, Andhra Pradesh, Hyderabad by her above mentioned acts has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(i), (ii) and (iii) of the Central Civil Service (Conduct) Rules, 1964.

The Government Servant, therefore, rendered herself liable for major charge for the above lapse on her part."

S.V. PRASAD
CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER (SC)

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST DR.J. KEDARESWARI, FORMERLY DIRECTOR, ARCHAEOLOGY & MUSEUMS, ANDHRA PRADESH, HYDERABAD ARE PROPOSED TO BE SUSTAINED.

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1. Letter Rc.No.H1/330/99, dated 20.11.2003 of Director, Archaeology & Museums Department, Andhra Pradesh, Hyderabad addressed to the Government.
2. From the Joint Collector, Ranga Reddy District Progs.No.B2/5167/92, dated 17-12-1993.
3. G.O. Rt.No.489, Youth Advancement, Tourism & Culture (T) Department, dated 01-4-2004.
4. From the Andhra Pradesh High Court, Hyderabad Judgement dated 22-4-2003 in W.P.M.P. No.26683/02 in W.P. No.21320/2002.
5. From the Commissioner, Archaeology & Museums Department, Andhra Pradesh, Hyderabad D.O. Rc.No.D3/2447/2001, dated 01-06-2003 and dated 16-06-2003 addressed to the District Collector, Ranga Reddy District.
6. Memo.No.17516/T(A3)/04, Youth Advancement, Tourism & Culture (T) Department, dated 08-07-2004.
7. From the Director, Archaeology & Museums, Hyderabad Letter Rc. No.D3/2447/2001, dated 28-7-2004 addressed to Government.
8. Copy of the Counter Affidavit in W.P.No.25909/2005 filed by Dr. J. Kedareswari, formerly Director, Archaeology & Museums, Hyderabad (2nd Respondent).
9. Work Order Rc.No.D2/277/2004, dated 03.02.2004 of the Director, Archaeology & Museums, Hyderabad.
10. Note bearing No.Dir./Peshi/04-21, dated 30-01-2004 of the Director, Archaeology & Museums, Hyderabad.
11. From the Director, Archaeology & Museums, Hyderabad. Progs.Rc. No.D2/277/04, dated 15-3-2004.
12. Counter-folio of Challan paid in P.A.O., Hyderabad bearing No.0891989, dated 15.3.2004 for Rs.8,73,441-00.
13. G.O.Ms.No.5, Youth Advancement, Tourism & Culture (T) Department, dated 12-01-2004.
14. From the Director, Archaeology & Museums, Hyderabad Invoice No.12877, dated 15.03.2004.
15. From the Deputy Director, Letter No.C2/Accts./04, dated 03-04-2004.

(P.T.O.)

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16. From Sri P.V.L. Narasimha Rao, Deputy Collector (LA), letter dated 08.03.2006 addressed to the Special Chief Secretary, Revenue (Vig.III) Department, A.P. Secretariat, Hyderabad.
17. Statement of Smt.P.Gayatri, Deputy Director (RK) addressed to the Director, Archaeology & Museums, Hyderabad.
18. Statement of Sri D.Pattabhi Reddy, Assistant Director (T) addressed to the Director, Archaeology & Museums, Hyderabad.
19. Statement of Smt. P. V. Ramanamma, Senior Assistant, dated 27-7-2006 addressed to the Director, Archaeology & Museums, Hyderabad.
20. From the Deputy Director (A), Memorandum No.C1/1491/03, dated 16-5-2003.
21. From Sri P.Govinda Reddy, Deputy Director, Letter No.C2/Accts./04, dated 30-4-2005 addressed to the Director, Archaeology & Museums, Hyderabad.
22. Part of Note File in File No.S1/1969/2003 signed by the Director, Archaeology & Museums, dated 19-03-2004.
23. Charge Memo. Rc.No.A2/4235/02, dated 02-11-2002 of the O/o the Director, Archaeology & Museums, Hyderabad addressed to Sri P. Vengal Reddy, Assistant Director (T) (SSP).
24. Copy of Progs.Rc.No.A2/4235/02, dated 29-03-2006 addressed to Sri P. Vengl Reddy, Assistant Director (T) (SSP).
25. From the Director, Archaeology & Museums, Hyderabad Letter Rc. No.D3/2447/2004, dated 25/2/2004 addressed to the Government.

S.V. PRASAD
CHIEF SECRETARY TO GOVERNMENT

// ATTESTED //

SECTION OFFICER (SC)

(P.T.O.)

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST DR.J.KEDARESWARI, FORMERLY DIRECTOR, ARCHAEOLOGY & MUSEUMS, ANDHRA PRADESH, HYDERABAD ARE PROPOSED TO BE SUSTAINED.

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1. Sri P. V. L. Narasimha Rao, formerly Deputy Director (Administration) & presently Special Grade Deputy Collector, Revenue Department,
2. Dr. P. Gayatri, Deputy Director (Archaeological Chemistry),
3. Sri P. Govinda Reddy, Retired Deputy Director (T),
4. Sri D. Pattabhi Reddy, Assistant Director(T), and
5. Smt. P. V. Ramanamma (Senior Assistant).

**S.V. PRASAD
CHIEF SECRETARY TO GOVERNMENT**

// ATTESTED //

SECTION OFFICER (SC)